

Notice of Allowability**Application No.**

10/531,273

Examiner

Joseph W. Drodge

Applicant(s)

GIRONDI, GIORGIO

Art Unit

1797

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the Amendment filed 9/2/2008.
2. ☒ The allowed claim(s) is/are 1-6.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: ____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date ____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date ____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date ____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 20080903.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other ____.

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee

Claims 1 and 2 have been amended as follows: --

1. (Currently amended) A fuel filter for diesel engines with high pressure direct injection of common rail type and the like, comprising an outer casing provided with a fuel inlet conduit (3) and an outlet conduit (4), and internally housing a filter means, said casing comprising an upper chamber (6) for containing said filter means, a lower chamber (7) communicating with said upper chamber to collect the water which said filter means (5) separates from the fuel, and means (8) for measuring the level of the water collected in the lower chamber (7), characterised in that said means for measuring the water level in the chamber (7) ~~comprise~~ -- contains -- a temperature sensor for generating an electrical signal, said signal being fed to an electronic card by two conductors. -- .
2. (Currently amended) A filter as claimed in claim 1 characterised in that said level ~~sensor~~ -- measuring -- means comprises a float positioned in the lower chamber and having a specific gravity between the specific gravity of water and that of the fuel, and a float guide stem in the interior of which there is positioned a magnetic field sensor connected electrically to said electronic card by two conductors, said temperature sensor ~~means~~ being positioned in the interior of said stem in proximity to its upper free end. -- .

Authorization for this examiner's amendment was given in a telephone interview with Sheridan Neimark on September 4, 2008.

The following is an examiner's statement of reasons for allowance: Claim 1 distinguishes over the closest prior art, Davis of record, in view of combination of limitations of the means for measuring water level containing a temperature sensor, and such temperature sensor generating an electrical signal fed to an electronic card by two conductors. Davis teaches a water level measuring means and a temperature sensing means that are in close proximity and commonly mounted to a plate, but are structurally independent of each other. Davis is also silent as to the feature of temperature or level sensor coupled to an electrical card by a pair of conductors.

Amending of claim 1 to substitute "containing" for "comprising" was to make the instant claims more closely correspond to the instant Specification at page 3, lines 4-10 concerning an element of a level sensor housing a temperature sensor. Changes to claim 2 were to more clearly provide antecedent basis for components.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

JWD

9/4/2008

/Joseph W. Drodge/

Primary Examiner, Art Unit 1797